

Oil Spill Contingency Plan – Railroad

Ecology is conducting rulemaking to propose a new rule, Chapter 173-186 WAC, Oil Spill Contingency Plan – Railroad.

Why is this rule being developed?

The railroad corridors in Washington travel along some of its largest rivers and water bodies. With increased oil transport by rail, contingency plans need to be developed in case spills occur along the rail routes. In 2015, the Washington Legislature enacted the Oil Transportation Safety Act (ESHB 1449), expanding Ecology's authority to require state contingency plans for railroad companies. Ecology was directed to develop rules establishing contingency planning requirements for railroads transporting oil in bulk.

What is the scope of this rulemaking?

The rulemaking will describe contingency planning requirements for railroad companies transporting oil in bulk in Washington. This includes notification to the state when spills occur, standards for pre-staged equipment, training for spill-management teams and the formation of a unified command to provide for a rapid, aggressive and well-coordinated response should spills occur.

Who will be regulated by this rule?

In December, Ecology sent a survey to railroad companies operating in the state to determine if they will be impacted by the rule. Ecology is still collecting information, and the current survey responses show 14 railroads operating in the state that may be affected by the rule.

WHY IT MATTERS

Contingency plans ensure that railroads have a plan and the capability to mount an appropriate response to an oil spill. These plans will ensure that our first responders are aware of locations oil is transported, that railroad operators have access to oil-response equipment, and personnel are trained to respond in a rapid, aggressive, and well-coordinated manner.

Contact information

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Accommodations Requests

To request ADA accommodation including materials in a format for the visually impaired, call the Spills Program main reception at 360-407-7455.

Persons with impaired hearing may call Washington Relay Service at 711. Persons with speech disability may call TTY at 877-833-6341.

What is the timeline for development of this rule?

Ecology began the rulemaking process by formal announcement in November 2015. Ecology is currently conducting public workshops and soliciting comments on the preliminary draft rule language. The agency plans to issue a formal rule proposal in April 2016, and adopt the rule at the end of August 2016.

When will railroad companies be required to submit contingency plans?

In the draft rule Ecology proposes that railroad companies currently operating in Washington will have 90 days after rule adoption to submit plans to Ecology for approval. A federal plan, if the railroad has one, could be submitted to the state while other plans are developed. Plans are approved for five years, and then are re-submitted for full review. Plans are also updated annually as information or conditions change, and in response to lessons learned in drills or during spills.

More information:

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